

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :
: Plaintiff, :
: :
: :
-against- :
: :
EDWIN R. ROMAN, :
: :
: :
Defendant, :
and :
: :
BANCO POPULAR, :
: :
: :
Garnishee. :
-----x

ORDER

04-MC-00278 (DLI)

DORA L. IRIZARRY, U.S. District Judge:

On January 9, 2007, plaintiff, the United States of America, filed an application for a Writ of Continuing Garnishment upon the judgment entered against defendant Edwin R. Roman in the amount of \$42,693.50, plus costs and interest, computed through November 5, 2004, for a Department of Health & Human Services Loan. Defendant's property in which he has a substantial non-exempt interest, including non-exempt disposable earnings, is currently being garnished from garnishee, Phillip Palmieri, by plaintiff. As of January 9, 2007, the outstanding balance of the aforesaid judgment is \$43,114.59, including interest.

Defendant was served the Writ of Continuing Garnishment on January 18, 2007, and garnishee, Banco Popular, filed a written answer on February 1, 2007. Accordingly, defendant must file a written objection to the answer of the garnishee within 20 days after receipt of the answer setting forth the grounds for any objection. Defendant may also request a hearing in his objection to the answer. Failure to file either a written objection or a request for a hearing within 20 days after receipt of the answer will result in an order by the court directing the garnishee as to the disposition of defendant's interest in the property described above. It is further hereby

ORDERED that plaintiff's counsel shall serve a copy of this Order on defendant and garnishee by certified mail and provide proof thereof to the court via ECF.

DATED: Brooklyn, New York
February 12, 2007

/s/
DORA L. IRIZARRY
United States District Judge